Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
DELETE, DELETE, DELETE	)	GN Docket No. 25-133
	)	

COMMENTS OF TELESAT

Telesat Canada ("Telesat") submits the following comments with respect to the above-captioned proceeding (the "DELETE proceeding").[1] Telesat has decades of experience in applying Part 25 of the Commission's rules as both a licensee and a market access applicant. Telesat was created in 1969 and in 1972 launched the world's first commercial domestic communications satellite, in geostationary (GSO) orbit. In 2007 Telesat merged with U.S. based Loral Skynet, a company with a long history, including having conducted in 1962 the world's first live TV feed between two continents using a non-GSO (NGSO) satellite, to create the fourth largest fixed-satellite service (FSS) operator in the world. Today Telesat operates a global fleet of 13 GSO satellites, some of which are licensed by the U.S. and many of which are on the FCC permitted list, and is building the state-of-the-art Ka-band LEO constellation, Telesat

[1] *In re DELETE, DELETE, DELETE*, GN Docket 25-133, Public Notice, DA 25-219 (rel. Mar. 12, 2025).

Lightspeed, for which Telesat holds a grant in the Commission's first Ka-band processing round,[2] and a pending modification application.[3]

Telesat welcomes the opportunity to provide input on the Commission rules, and specifically related to Part 25, in response to the DELETE proceeding. The Commission's rules serve as a quality reference and policy guidance for the deployment of satellite services, not only for the U.S., but due to their comprehensive and well-considered articulation, for satellite services worldwide. Telesat appreciates the Commission's transparent approach to updating rules, i.e. through Notice of Inquiry (NOI), Notice of Proposed Rulemaking (NPRM), etc., which allow the issues and proposed solutions to be comprehensively considered and then adopted. Nevertheless, with the ever-quickening pace of technological change – witnessed, for example, in the exponential increase in filings related to NGSO systems, or the merging of satellite, terrestrial, and mobile services in the same frequency bands - the DELETE proceeding is testimony to the need to embrace regulatory change at a commensurate pace.

To reduce regulatory burdens and accommodate today's fast pace of technological change, the baseline approach should be to allow a change under an existing authorization unless there is a compelling reason not to allow that change.

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[2] *Telesat Canada Petition for Declaratory Ruling to Grant Access to the U.S. Market for Telesat's NGSO Constellation, ICFS File No. SAT-PDR-20161115-00108*, Order and Declaratory Ruling, 32 FCC Rcd 9663 (2017).

[3] Telesat LEO Inc., Application for Modification of Market Access Authorization, FCC call sign S2976, ICFS File No. SAT-MPL-20200526-00053 filed May 26, 2020, and Application to Amend Modification of Market Access Authority filed Jan 4, 202021; See also *Public Notice*, Space Station Applications Accepted for Filing, Report No. SAT-01648 (rel. July 15, 2022).

Pragmatically this would mean bolstering Section 25.118 *Modifications not requiring prior authorization* with a broader capture of scenarios, or conversely, setting the default at requiring prior authorization only under certain circumstances. For example, in the case of NGSO constellations, by default there should be flexibility to rearrange the distribution of satellites among planes, invoke minor altitudes or inclination changes, or even increase satellite count by a small amount (5-10%?), i.e. minor changes that do not meaningfully impact the interference environment, to allow operators to optimize system design and more flexibly adapt to evolving user demand.

The newly adopted NGSO sharing rules[4] with a simple, yet effective, methodology and values - the "degraded throughput methodology"– that is assessed in terms of both a long-term and a short-term metric[5], provide a welcome, tangible standard against which to assess interference among NGSO systems. This technical standard should be broadly embraced.

For example, Sections 25.156 and 25.157 of the Commission's rules related to the NGSO "processing rounds" provide a framework to prevent one applicant from unreasonably precluding entry by other applicants in a given frequency band, while concurrently providing time for systems to implement services in a period of certainty in terms of the interference environment. However, these rules also have had the

[4] *Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems*, Second Report and Order and Order on Reconsideration, IB Docket No. 21-456, FCC 24-117 (rel. Nov. 15, 2024).

[5] *See id*. at ¶ 1, which indicates the "degraded throughput methodology" includes a percentage time-weighted average throughput degradation as a long-term interference protection criterion, and an absolute increase in link unavailability as a short-term interference protection criterion.

undesirable side-effect of inspiring premature applications made solely for "fear of missing out," many of which are never implemented but all of which consume valuable Commission resources. The technical underpinnings of the new NGSO sharing rules could provide the necessary certainty and facilitate striking a better balance of protection for incumbent systems and fairness for in-coming systems.

Section 25.114(d)(14) of the Commission's rules specifies information and assessments space station applicants must provide relating to orbital debris mitigation. Other provisions in Part 25 of the rules supplement these requirements with specific operational standards (*e.g.*, requirements for end-of-life disposal).

Telesat is keenly interested in ensuring a sustainable space operating environment for NGSO and other satellites. Rules relating to orbital debris mitigation must balance the objective of mitigating these debris while at the same time not thwarting investment and innovation in the space sector. Rules should be based on sound and peer-reviewed scientific analysis, ideally validated by multi-stakeholder expert groups such as the Inter-Agency Space Debris Coordination Committee (IADC), the International Organization for Standardization (ISO) or other relevant agencies or organizations.

In a pending rulemaking proceeding, the Commission is considering additional orbital debris mitigation requirements.[6] Nevertheless, there is precedent on the record of more strict requirements than the published rules being applied, in some cases

[6] *In the Matter of Mitigation of Orbital Debris in the New Space Age*, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 4156 (2020).

picking up on elements of what has been proposed but not adopted in the rulemaking, for example with respect to Section 25.114(d)(14)(vii)(D)(2)(ii).[7] It is critical at the design stage the many complex factors associated with orbital debris mitigation be stable, known quantities, so that build, launch and operations can proceed smoothly.

In summary, Telesat has participated in application of the Commission's rules for decades, as both a licensee and a market access applicant, and welcomes this initiative to consider areas of improvement to streamline the rules as conveyed in the comments herein and with main themes summarized in the attachment.

Respectfully submitted,

TELESAT CANADA

/s/ *Elisabeth Neasmith*
Elisabeth Neasmith
Senior Director, ITU & Regulatory
TELESAT CANADA
160 Elgin Street, Suite 2100
Ottawa, ON
Canada K2P 2P7
613-748-8700

Of counsel:
Joseph A. Godles
Goldberg, Godles, Wiener & Wright LLP
1025 Connecticut Avenue, NW, Suite 1000
Washington, DC 20036
(202) 429-4900

April 11, 2025

[7] If planned disposal is by atmospheric re-entry, the statement must also include:
…
(*ii*) An assessment as to whether portions of any individual spacecraft will survive atmospheric re-entry and impact the surface of the Earth with a kinetic energy in excess of 15 joules, and demonstration that the calculated casualty risk for an individual spacecraft using the NASA Debris Assessment Software or a higher fidelity assessment tool is less than 0.0001 (1 in 10,000).

ATTACHMENT

Main themes for Commission consideration

- Bolstering Section 25.118 *Modifications not requiring prior authorization* with a broader capture of scenarios, or conversely, setting the default at requiring prior authorization only under certain circumstances. For example, in the case of NGSO constellations, by default there should be flexibility to rearrange the distribution of satellites among planes, invoke minor altitudes or inclination changes, or even increase satellite count by a small amount (5-10%?);

- Use the newly adopted NGSO sharing rules[1] more broadly throughout the Commission's rules as the technical underpinning for interference assessment requirements, for example in the context of the processing round framework; and

- Uphold Section 25.114(d)(14) of the Commission's rules that specifies information and assessments space station applicants must provide relating to orbital debris mitigation, without imposing additional, unknown, requirements, noting that a stable regulatory environment is critical at the design stage of these very complex systems.

[1] *Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems*, Second Report and Order and Order on Reconsideration, IB Docket No. 21-456, FCC 24-117 (rel. Nov. 15, 2024).